



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
Jose Guadalupe De La Cruz
Defendant.

CASE NO. *08-1662m*

ORDER OF DETENTION

I

A. () On motion of the Government in a case allegedly involving:

1. () a crime of violence.
2. () an offense with maximum sentence of life imprisonment or death.
3. () a narcotics or controlled substance offense with maximum sentence of ten or more years.
4. () any felony - where defendant convicted of two or more prior offenses described above.

III

The Court has considered:

- A. the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;
- B. the weight of evidence against the defendant;
- C. the history and characteristics of the defendant; and
- D. the nature and seriousness of the danger to any person or the community.

IV

The Court also has considered all the evidence adduced at the hearing and the arguments and/or statements of counsel, and the Pretrial Services Report/recommendation.

V

The Court bases the foregoing finding(s) on the following:

- A. (✓) As to flight risk:

No interview; no info as to resources or sufficient ties;
alien status; nature of charges; numerous aliases & DOBs.

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1 B. (✓) As to danger:

2 Criminal history

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9 VI

10 A. () The Court finds that a serious risk exists the defendant
11 will:

12 1. () obstruct or attempt to obstruct justice.

13 2. () attempt to/ () threaten, injure or intimidate a
14 witness or juror.

15 B. The Court bases the foregoing finding(s) on the following:

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20 VII.

21 A. IT IS THEREFORE ORDERED that the defendant be detained prior
22 to trial.

23 B. IT IS FURTHER ORDERED that the defendant be committed to the
24 custody of the Attorney General for confinement in a corrections
25 facility separate, to the extent practicable, from persons
26 awaiting or serving sentences or being held in custody pending
27 appeal.
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1 C. IT IS FURTHER ORDERED that the defendant be afforded
2 reasonable opportunity for private consultation with counsel.

3 D. IT IS FURTHER ORDERED that, on order of a Court of the United
4 States or on request of any attorney for the Government, the
5 person in charge of the corrections facility in which defendant
6 is confined deliver the defendant to a United States marshal for
7 the purpose of an appearance in connection with a court
8 proceeding.

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11 DATED: 7/16/08

Ralph Zarefsky
12 RALPH ZAREFSKY
13 UNITED STATES MAGISTRATE JUDGE

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